IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

SUMM FOR JUDGMENT NO.752 of 2003

IN

SUMM.SUIT NO.761 OF 2003

Vinay S.Jaising .. Plff

versus

Pharma Intel (I) P.Ltd & anr .. Defts

Ms Parvati Kaushik i.b B.S.Chandanani for Plff

Mr. A.N.Makhijani for Deft no.2

Mr H.Toor with Mr K.B.Irani for Deft no.6

CORAM : D.G. KARNIK, J

DATED : 26th April 2005.

P.C:-

1. Heard learned counsel for the parties. The suit is filed on a demand bill of exchange dated 16th NOvember, 1999. Suit has been filed on 24th December, 2002 i.e. after expiry of period of 3 years. Therefore, prima facie, the defence of limitation gives rise to triable issues.

2. The defendants are granted unconditional leave to defend the suit. Suit shall stand transferred to the list of commercial causes. The defendants to file the written statement within four weeks.

D.G.KARNIK, J